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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,148	04/24/2001	Sung-Tac Kim	1293.1186	3413

21171 7590 08/11/2004

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WASHINGTON, DC 20005

EXAMINER
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NGUYEN, BRIAN D

ART UNIT	PAPER NUMBER
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2661

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/840,148

Applicant(s)

KIM, SUNG-TAE

Examiner

Brian D Nguyen

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on the application filed 4/24/01.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 8, 10-16 and 18-26 is/are rejected.
- 7) ☒ Claim(s) 4-7, 9 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/15/04 &amp; 11/12/03</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

1. Claims 14-17 and 21-22 are objected to because of the following informalities:  
Claims 14-17 and 21 are method claims; they should depend on claim 13 instead of claim 12.
12. The examiner assumes claims 14-17 and 21 depend on claim 13 for this Office Action.  
Claim 22, line 3, it is suggested to replace "DSS" with ---distributed sample scramble (DSS)---.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 4-7, 9, and 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the limitation "the divided data" in line 6. There is insufficient antecedent basis for this limitation in the claim. Claim 20 should depend on claim 16 for proper dependency.

Claim 20 recites the limitation "the grouping" in line 1. There is insufficient antecedent basis for this limitation in the claim. Claim 20 should depend on claim 16 for proper dependency.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, 10, 12-16, 18-20, and 22-26 are rejected under 35 U.S.C. 102(e) as being anticipated, by Movshovich et al (6,434,170).

Regarding claims 1 and 12, Movshovich discloses a TS demultiplexer for demultiplexing a plurality of TS of data having different structures comprising a TS input switch (implicitly disclosed for switching between I/O devices 220 of figure 2), a PID filter unit (see figure 3), a decrambler unit (see figure 10), an external output interface unit (see figure 1), and a CPU (see processor in figure 2).

Regarding claim 2, Movshovich discloses MPEG-2 TS, DSS TS (see figures 7A&B).

Regarding claims 3 and 10, Movshovich discloses synchronization (see col. 5, lines 15-18).

Regarding claim 13, claim 13 is a method claim that has substantially all the limitations of the respective apparatus claim 1. Therefore, it is subject to the same rejection.

Regarding claim 14, claim 14 is a method claim that has substantially all the limitations of the respective apparatus claim 2. Therefore, it is subject to the same rejection.

Regarding claim 15, claim 15 is a method claim that has substantially all the limitations of the respective apparatus claim 3. Therefore, it is subject to the same rejection.

Regarding claims 16 and 20, Movshovich discloses an A/V interface (118) for the audio/video data and external interface (108, 116) for supplemental data information (see figure 1; col. 5, lines 10-30).

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Regarding claims 18 and 19, Movshovich discloses IEEE 1394 bus (see 232 of figure.2).

Regarding claims 22-26, Movshovich discloses a method of demultiplexing plural transport streams of data having different structures comprising DSS and MPEG-2 transport streams. The DSS and MPEG-2 transport streams are simultaneously processing and these transport streams are received over an IEEE 1394 bus and a PCI bus (see figures 1, 2, & 7; col. 8, line 32-col. 9, line 24; col. 11, lines 22-34).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 8, 11, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Movshovich et al (6,434,170).

Regarding claims 8 and 11, Movshovich does not specifically disclose scrambles the decrambled program data for external transmission. However, to scramble program data for transmission is well known in the art and is a matter of choice to protect the data. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to scramble the data before transmission in order to protect the data during transmission.

Regarding claim 21, claim 21 is a method claim that has substantially all the limitations of the respective apparatus claim 8. Therefore, it is subject to the same rejection.

*Allowable Subject Matter*

8. Claims 4-7, 9, and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Anderson et al (6,731,657), Movshovich et al (6,359,91), Movshovich et al (6,438,145).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian D Nguyen whose telephone number is (703) 305-5133. The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Olms can be reached on (703) 305-4703. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'Brian Nguyen', written in a cursive style.

8/6/04

**BRIAN NGUYEN**  
**PRIMARY EXAMINER**